

## Message Text

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ORIGIN NODS-00

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C O N F I D E N T I A L STATE 201014 TOSEC 090100

NODIS  
FOR ASSISTANT SECRETARY HOLBROOKE ONLY FROM OAKLEY AND QUINN

E.O. 11652: GDS

TAGS: PGOV,

SUBJECT: KOREAN COMPENSATION STRATEGY AND OTHER ITEMS

1. KOREAN COMPENSATION STRATEGY: FOLLOWING YOUR MEETING AUGUST 18 WITH SNEIDER, BENNET, ABRAMOWITZ ET AL, DOUG BENNET AND JACK STEMPER CONSULTED ON OUR LEGISLATIVE STRATEGY. IT IS NOW GENERALLY AGREED THAT WE WILL PROPOSE RATHER SIMPLE TRANSFER AUTHORITY LEGISLATION. DOD IS CONTINUING ITS COSTING EXERCISE ON PRIORITY GROUND FORCE EQUIPMENT USING CURRENT VALUE AS THE LATEST COSTING MECHANISM. IT APPEARS THAT THE US-ROK PRIORITY LIST OF EQUIPMENT AVAILABLE IN THE ROK FOR TRANSFER IN TOTAL MAY NOT EXCEED \$500 MILLION. WE ARE REFINING OUR TALKING POINTS AND PLAN TO BEGIN CONSULTATIONS WITH KEY CONGRESSIONAL STAFFERS NEXT WEEK IN ORDER SOON TO BE ABLE TO MAKE  
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A JUDGMENT ON THE FEASIBILITY OF GOING FORWARD THIS FALL WITH THE TRANSFER LEGISLATION. HAROLD BROWN FEELS IT IMPORTANT TO PROCEED IF IT IS POSSIBLE TO DO SO WITHOUT RUNNING INTO SERIOUS CONGRESSIONAL OBSTACLES. POLITICALLY THIS IS IMPORTANT TO REASSURE THE ROK AS WELL.

2. EXPANDING SUBPOENAS OF KOREAN RECORDS RAISES ROK

TEMPERATURE: FOLLOWING SUBPOENAS IN RECENT WEEKS BY TWO  
DIFFERENT CONGRESSIONAL COMMITTEES OF ROK EMBASSY BANK

RECORDS, THE SEC HAS NOW SUBPOENED THE EMBASSY'S PHONE  
RECORDS FROM C&P TELEPHONE COMPANY IN CONNECTION WITH AN  
INVESTIGATION OF E-SYSTEMS, INC. THE ROKG HAS VIOLENTLY  
PROTESTED THIS SUBPOENA BOTH IN SEOUL AND  
WASHINGTON. WE HAVE INFORMED THEM THAT WE HAVE REVIEWED  
OUR LEGAL POSITION REGARDING THE SUBPOENA OF RECORDS  
HELD BY PRIVATE BUSINESS FIRMS (E.G. BANKS AND TELEPHONE  
COMPANY) AND THAT THE DEPARTMENT CONTINUES TO CONSIDER  
SUCH RECORDS NOT TO BE COVERED BY VIENNA CONVENTION. ROK  
EMBASSY HAS REAFFIRMED ITS DIFFERING INTERPRETATION AND  
NOTED THAT CONTINUING SERIES OF SUBPOENAS LEAVES LITTLE  
REMAINING ROOM FOR ROKG ACCOMMODATION. ROK EMBASSY HAS  
POINTEDLY REMINDED US THAT ROKG EARLIER THIS YEAR RATIFIED  
COMPULSORY ICJ ARBITRATION PROTOCOL OF THE VIENNA CONVEN-  
TION (TO WHICH USG IS ALSO A PARTY) AND THAT THEY MIGHT  
HAVE TO TAKE THIS ISSUE TO ARBITRATION. ROKG LAWYERS  
INSIST THAT USG NEGOTIATORS OF VIENNA CONVENTION CLEARLY  
DID NOT SUPPORT PRESENT USG LEGAL POSITION. ROKG CONTINUES  
TO FEEL THAT MULTIPLYING INVESTIGATIONS AND SUBPOENAS  
CUMULATIVELY REPRESENT UNFRIENDLY ACTION BY USG AND THAT  
WE WOULD NOT DEAL IN SIMILAR MANNER WITH UK, FOR EXAMPLE.

3. BLYTHE SAYS HELLO. CHRISTOPHER  
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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** COMPENSATION, LOBBYING, MILITARY ASSISTANCE, MILITARY EQUIPMENT, TOSEC, SUBPOENAS, LEGISLATIVE BILLS, CAT-A  
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**Disposition Approved on Date:**  
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**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
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